

REMARKS

Status of the Application

Claims 1-23 and 25-28 are all the claims that have been examined in the application. Claims 1-5, 12, 13, and 18-23 stand rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. Claims 6-11, 14-17 and 25-28 are allowed.

Preliminary Matters

Applicants thank the Examiner for withdrawing the rejection of claims 1-3, 12, 13, 18-20 and 23 as being anticipated by Morgan et al. (U.S. Pat. App. Pub. No. 2003/0158002).

Allowable Subject Matter

Applicant thank the Examiner for indicating that claims 6-11, 14-17 and 25-28 are allowed.

Claim Rejections - 35 USC § 112

Claims 1-5, 12, 13, and 18-23 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

Specifically, the Examiner alleges that “[t]he newly added subject matter in claims 1 and 18 is not present in the specification.” See Office Action page 2. Applicants respectfully disagree.

There is no *in haec verba*—i.e., word for word—requirement for satisfying the written description requirement. That is, the newly added claim limitations can be supported in the specification through express, implicit, or inherent disclosure. Additionally, an applicant can show possession of the claimed invention by describing the claimed invention with all of its

limitations using such descriptive means as words, structures, figures, diagrams, and formulas that fully set forth the claimed invention. In the instant application, the specification does, indeed, provide sufficient support for the now claimed limitation that “wherein said depression is shaped such that there cannot be formed a circle by the intersection of any plane cutting the depression and the surface of the depression.”

The paragraph on page 6, lines 21-36 of the specification discloses that a non-circular dimple, D2 is formed by the three curvilinear edges of circular dimples, D1. Further, it is disclosed that the lowest portion of the non-circular dimple is located at the center of the dimple. Taken in conjunction with FIGS. 1, 2 and 4, it is inherent that the non-circular dimple would be shaped such that there cannot be a circle formed by the intersection of any plane which cuts the non-circular dimple and the surface of the non-circular dimple.

In light of the above, Applicants respectfully request that the Examiner withdraw the §112, first paragraph rejection.

Conclusion

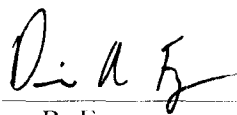
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Application No. 10/829,471

Q81267

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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